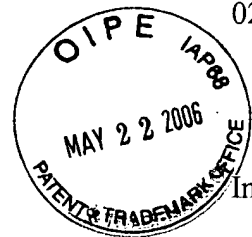


02165.000014

PATENT APPLICATION



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~/~~In re Application of:

HIROKI HARATA, ET AL.

Application No.: 10/790,773

Filed: March 3, 2004

For: REVERSIBLY METACHROMATIC  
TOY

Examiner: Bena B. Miller  
Group Art Unit: 3725  
Confirmation No. 3206  
May 19, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### REQUEST FOR CONSIDERATION OF CITED ART


Sir:

Applicants received a Notice of Allowance and Notice of Allowability dated May 10, 2006 in the above-identified application. However, the Notice of Allowability was not accompanied by an initialed Form PTO-1449 confirming that the art cited in Applicants' Information Disclosure Statement dated August 31, 2004 was considered and made of record herein. A copy of the Information Disclosure Statement is attached at Tab A, with a copy of the return-receipt post card evidencing acknowledgment of such document by the Patent and Trademark Office mailroom attached at Tab B. If the Examiner requires additional copies of any of the cited references, he is respectfully requested to telephone the undersigned. Applicants have not, to date, received confirmation that the art cited in that document was considered by the Examiner.

Accordingly, to complete the record, Applicants respectfully request that the Examiner forward a copy of initialed Form PTO-1449 confirming that the art cited in the August 31, 2004 Information Disclosure Statement has been considered and made of record herein.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Lawrence S. Perry  
Attorney for Applicants  
Registration. No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

LSP\ac

NY\_Main 570489\_1



02165.000014

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Not Yet Assigned
HIROKI HARATA, ET AL.	)	
	:	Group Art Unit: 3712
Application No.: 10/790,773	)	
	:	
Filed: March 3, 2004	)	
	:	
For: REVERSIBLY	)	
METACHROMATIC	:	
TOY	)	August 31, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed along with a copy of the European Search Report.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Statement.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Attorney for Applicants  
Lawrence S. Perry  
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

LSP\ac

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)ATTY DOCKET NO.  
**02165.000014**APPLICATION NO.  
**10/790,773**APPLICANT  
**Hiroki Harata, et al.**FILING DATE  
**March 3, 2004**GROUP  
**3712**

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	<b>1 091 039</b>	<b>4/01</b>	<b>EP</b>			
	<b>299 06 251</b>	<b>12/99</b>	<b>Germany</b>			<b>Abstract</b>
	<b>0 919 604</b>	<b>6/99</b>	<b>EP</b>			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 1



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date 9 / 1 / 04  
Mo. Day Yr.

Atty. Docket 02165.000014

Application No. 10/790,773

Sir:

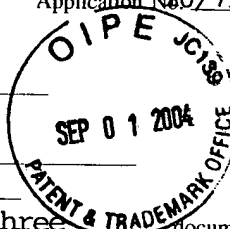
Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action. \_\_\_\_\_
- ☐ Check for \$ \_\_\_\_\_ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ \_\_\_\_\_
- ☐ Notice of Appeal and Check for \$ \_\_\_\_\_
- ☒ Information Disclosure Statement, PTO-1449 and three documents
- ☐ Claim for priority and certified copies of \_\_\_\_\_ priority applications
- ☐ Issue fee transmittal and Check for \$ \_\_\_\_\_
- ☐ Other (specify) \_\_\_\_\_

by placing your receiving date stamp hereon and returning to deliverer.

Atty. LSP/ac

Due Date N / D / D  
Mo. Day Yr.



FOHS-D-00